

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
FRANKIE VALENTI,

Plaintiff,

Docket No.
19-CV-03990 (GRB)(LGD)

**DECLARATION OF
NEIL TORCZYNER**

- against -

POLICE COMMISSIONER PATRICK J.
RYDER, individually, LIEUTENANT
MARC TIMPANO, individually,
CHRISTOPHER V. TODD, ESQ.,
Individually, OFFICERS "JOHN DOE" 1-2
(fictitiously named), Individually, and
THE COUNTY OF NASSAU,

Defendants.

-----X

NEIL TORCZYNER, declares under penalty of perjury pursuant to 28 U.S.C. §

1746, that the following is true and correct:

1. I am an attorney in the firm of Harfenist Kraut & Perlstein LLP, attorneys for Plaintiff Frankie Valenti ("Plaintiff"), and as such, I am fully familiar with the facts and circumstances of this case.

2. I submit this declaration in opposition to Defendants' Rule 56 motion and in support of Plaintiff's cross-motion for Partial Summary Judgment.

3. A copy of the of the relevant portions of Frankie Valenti's Transcript is appended hereto as Exhibit "1."

4. A copy of the of the relevant portions of Darlene Luffman's Transcript is appended hereto as Exhibit "2."

5. A copy of the PDCN 41 forms issued to Frankie Valenti is appended hereto as Exhibit "3."

6. A copy of the of the relevant portions of John Tartamella's Transcript are appended

hereto as Exhibit “4.”

7. A copy of the July 16, 2018 Arrest Report is appended hereto as Exhibit “5.”

8. A copy of the of the relevant portions of Marc Timpano’s Transcript is appended hereto as Exhibit “6.”

9. A copy of the November 9, 2018 Nassau County District Court transcript is appended hereto as Exhibit “7.”

10. A copy of the of the relevant portions of Andrew Lee’s Transcript is appended hereto as Exhibit “8.”

11. A copy of the Dismissal Memo is appended hereto as Exhibit “9.”

12. A copy of the of the relevant portions of Annette Brinkley’s Transcript is appended hereto as Exhibit “10.”

13. A copy of the Notice of Revocation is appended hereto as Exhibit “11.”

14. A copy of OPS 10023 is appended hereto as Exhibit “12.”

15. A copy of the of the relevant portions of Alan Hirsh’s Transcript is appended hereto as Exhibit “13.”

16. A copy of the original Complaint filed July 12, 2019 is appended hereto as Exhibit “14.”

17. A copy of the of the relevant portions of Christopher Todd’s Transcript is appended hereto as Exhibit “15.”

18. A copy of an August 20, 2019 letter written by Christopher Todd (“Todd Letter”) is appended hereto as Exhibit “16.”

19. A copy of the Long Gun Review Record is appended hereto as Exhibit “17.”

20. A copy of the October 19, 2019 Findings and Recommendation (“October 2019

Findings”) is appended hereto as Exhibit “18.”

21. A copy of the Notice of Final Determination is appended hereto as Exhibit “19.”

22. A copy of the Amended Complaint is appended hereto as Exhibit “20.”

23. A copy of an August 2, 2019 email to Christopher Todd is appended hereto as Exhibit “21.”

24. A copy of the May 1, 2019 mailing containing the Pistol License Appeal Procedure is appended hereto as Exhibit “22.”

25. A copy of the Plaintiff’s Second Request for Production is appended hereto as Exhibit “23.”

Dated: Lake Success, New York
March 24, 2023

Neil Torczyner
Neil Torczyner